

2007 JAN -8 PM 4: 07

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Ernest ARENAS et al.

Application No. 09/980,913

Filing Date: May 21, 2002

For: MATERIALS AND METHODS
RELATING TO NEURONAL
DEVELOPMENT

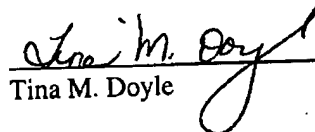
Commissioner for Patents
Alexandria, Virginia 22313-1450

: Docket No. 0380-P02709US0

: Office of Finance Refund Branch

Certificate of Mailing Under 37 C.F.R. §1.8(a):

I hereby certify that this correspondence is being deposited on January 3, 2007 with the United States Postal Service as first-class mail in an envelope properly addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.


Tina M. Doyle

REQUEST FOR REFUND

Dear Sir:

Applicants hereby request a refund of \$120.00 which should be credited to the deposit account of the undersigned attorneys, Deposit Account No. 04-1406. The request should be granted for the following reasons.

A final Official Action was issued in this application on April 19, 2006. A response to the final rejection was filed August 21, 2006 (as August 19 fell on a Saturday). The August 21, 2006 response was accompanied by a one-month extension of time, together with the required one-month extension fee of \$120.00. Copies of the cancelled check and petition for one-month extension of time are enclosed for your reference.

On October 19, 2006, a Pre-Appeal Brief Request and Notice of Appeal were

In re the Application of Ernest ARENAS et al.
Reexamination Control No. 09/980,913
Docket No. 0380-P02709US0

filed in this application. Since the first month extension fee of \$120 was already paid, the amount due would be the difference between the third month extension fee (\$1,020) and the first month extension fee (\$120) which would be \$900. The deposit account of the undersigned was charged the full three-month extension fee of \$1,020. A copy of the November, 2006 Deposit Account Statement is enclosed for your reference.

For the foregoing reasons, it is hereby requested that \$120 be credited to the Deposit Account No. 04-1406 to which it was originally charged.

Respectfully submitted,

DANN, DORFMAN, HERRELL AND SKILLMAN
A Professional Corporation
Attorneys for Applicants

By Patrick J. Hagan
Patrick J. Hagan
PTO Registration No. 27,643

January 3, 2006
Customer Number 000110
Tel.: 215-563-4100
Fax: 215-563-4044
e-mail: phagan@ddhs.com

Enclosures: Copy of cancelled check #44562
Copy of Petition for One-Month Extension of Time
Copy of Deposit Account Statement dated November, 2006

**RESPONSE UNDER 37 C.F.R. §1.116
EXPEDITED PROCEDURE**

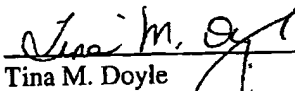
THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Examiner: Laura L. McGillem
Ernest ARENAS et al. :
Application No. 09/980,913 : Group Art Unit: 1636
Filing Date: May 21, 2002 :
Entitled: MATERIALS AND METHODS :
RELATING TO NEURONAL DEVELOPMENT :

1601 Market Street, Suite 2400
Philadelphia, PA 19103
(215) 563-4100 (telephone)
(215) 563-4044 (facsimile)
phagan@ddhs.com (email)

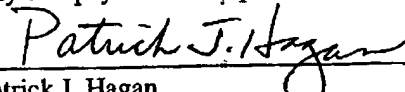
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Tina M. Doyle

Petition for Extension of Time Under 37 C.F.R. §1.136(a):

The undersigned hereby petitions for an extension of time of ONE (1) month beyond the time period set in the last Office Action. A check in the amount of \$120.00 to cover this fee is enclosed. Please charge any deficiency or credit any overpayment to Deposit Account No. 04-1406.


Patrick J. Hagan
Attorney for Applicant(s)
Registration No. 27,643

Box AF
Assistant Commissioner
for Patents
Washington, D.C. 20231

REQUEST FOR RECONSIDERATION UNDER 37 C.F.R. §1.116

Dear Sir:

Favorable reconsideration and allowance of claims 1-3 and 5-13 are respectfully requested for the reasons set forth in the following remarks.

Under the Paperwork Reduction Act of 1995 no persons are required to respond to a collection of information unless it displays a valid OMB control number

Effective on 12/08/2004.
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL

For FY 2005

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 120

Complete if Known

Application Number 09/980,913
Filing Date May 21, 2002
First Named Inventor Ernest ARENAS
Examiner Name Laura L. McGillem
Art Unit 1636
Attorney Docket No. 0380-P02709US0

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify):
☒ Deposit Account Deposit Account Number: 04-1406 Deposit Account Name: Dann Dorfman Herrell and Skil

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee
☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☐ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description

Each claim over 20 (including Reissues)

Each independent claim over 3 (including Reissues)

Multiple dependent claims

Total Claims Extra Claims Fee (\$) Fee Paid (\$)
11 - 20 or HP = 0 x 0 = 0
HP = highest number of total claims paid for, if greater than 20.

Indep. Claims Extra Claims Fee (\$) Fee Paid (\$)
1 - 3 or HP = 0 x 0 = 0
HP = highest number of independent claims paid for, if greater than 3.

Small Entity
Fee (\$) Fee (\$)
50 25
200 100
360 180
Multiple Dependent Claims
Fee (\$) Fee Paid (\$)

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets Extra Sheets Number of each additional 50 or fraction thereof Fee (\$) Fee Paid (\$)
- 100 = / 50 = (round up to a whole number) x =

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): One month extension of time

120

SUBMITTED BY

Signature Patrick J. Hagan Registration No. 27,643 Telephone 215-563-4100
Name (Print/Type) Patrick J. Hagan Date August 21, 2006

This collection of information is required by 37 CFR 1.138. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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[illegible]



United States Patent and Trademark Office

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Deposit Account Statement

Requested Statement Month:

November 2006

Deposit Account Number:

041406

Name:

DANN DORFMAN HERRELL & SKILLMAN, P.C.

Attention:

MARY JO MARCHEK

Address:

1601 MARKET STREET

City:

PHILADELPHIA

State:

PA

Zip:

19103-2307

Country:

UNITED STATES

	DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
PJH	11/01	1	10451213	0380-P03230US0	1202	\$100.00	\$16
	11/02	27	E-REPLENISHMENT		9203	\$9,000.00	\$25
VTD	11/03	1	10474993	0074-490270	1203	\$290.00	\$24
SHE	11/03	1514	1415856	0412-T03509US0	7205	\$100.00	\$24
	11/03	1515	1415856	0412-T03509US0	7201	\$400.00	\$24
LIS	11/07	1356	78486918	0064-T03522US00	7004	\$600.00	\$23
LIS	11/07	1400	78374279	0064-T03387US00	7004	\$150.00	\$23
CHB	11/07	73	10127787	AI-TECH-32	1801	\$790.00	\$22
	11/08	182	29260602	4365-P04033US0	2012	\$100.00	\$22
SHE	11/08	186	29260602	4365-P04033US0	2253	\$510.00	\$22
	11/08	185	29260602	4365-P04033US0	2051	\$65.00	\$22
	11/08	184	29260602	4365-P04033US0	2312	\$65.00	\$22
	11/08	183	29260602	4365-P04033US0	2112	\$50.00	\$22
LIS	11/08	145	6914433	1025-P03342US0	8021	\$40.00	\$21
	11/08	1297	11568802	0380-P03416US	1631	\$300.00	\$21
	11/08	1299	11568802	0380-P03416US	1633	\$200.00	\$21
KDR	11/08	1300	11568802	0380-P03416US	1615	\$1,300.00	\$20
	11/08	1298	11568802	0380-P03416US	1632	\$500.00	\$19
SHE	11/08	349	6914433	1025-P03342US0	8021	\$40.00	\$19
KUJH	11/09	523	76578589	0091-T03432US00	7003	\$100.00	\$19
	11/09	80	60735445	0074-ASHBY	8007	\$20.00	\$19
	11/09	81	60735470	0074-ASHBY	8007	\$20.00	\$19
	11/09	523	10561347	0008-CA323PCT/US	8021	\$40.00	\$19
	11/09	556	11512468	3620-P04170US00	8021	\$40.00	\$19
	11/09	5	10573123	0074-537849	8021	\$40.00	\$19
	11/09	1392	117	4570-P03620US01	8021	\$40.00	\$19
	11/09	7886		0096-P03529EU02-405 STREA	8007	\$20.00	\$19

<i>WJS</i>	11/14	1652	77043334	2189-T03764US00	7001	\$975.00	\$11
<i>VTP</i>	11/14	540	60834700	0074-544469	8021	\$40.00	\$11
<i>VTP</i>	11/14	545	60839281	0074-547317	8021	\$40.00	\$11
<i>RWH</i>	11/15	25	79018962	LEO V. LEON FARMA	7402	\$900.00	\$11
	11/16	1488	PCT/US06/60924	CHOP.0267A-PCT	1601	\$300.00	\$11
	11/16	1490	PCT/US06/60924	CHOP.0267A-PCT	1701	\$1,008.00	\$11
<i>KDR</i>	11/16	1491	PCT/US06/60924	CHOP.0267A-PCT	1703	\$276.00	\$11
	11/16	1489	PCT/US06/60924	CHOP.0267A-PCT	1602	\$1,000.00	\$11
	11/16	1544	PCT/US06/60927	CHOP.0267B-PCT	1601	\$300.00	\$11
<i>KDR</i>	11/16	1546	PCT/US06/60927	CHOP.0267B-PCT	1701	\$1,008.00	\$11
	11/16	1547	PCT/US06/60927	CHOP.0267B-PCT	1703	\$288.00	\$11
	11/16	1545	PCT/US06/60927	CHOP.0267B-PCT	1602	\$1,000.00	\$11
	11/16	33	E-REPLENISHMENT		9203	\$13,000.00	\$21
<i>NH</i>	11/16	7	10555916	<i>0380-P03896US00</i>	9204	-\$75.00	\$21
<i>SHE</i>	11/16	392	29260602	4365-P04033US0	8021	\$40.00	\$21
<i>SHE</i>	11/16	2250	11459133	0412-P03689US1	1051	\$130.00	\$21
	11/17	650	11560608	0241-P04211US0	1011	\$300.00	\$21
<i>SHE</i>	11/17	651	11560608	0241-P04211US0	1111	\$500.00	\$21
	11/17	652	11560608	0241-P04211US0	1311	\$200.00	\$21
	11/17	653	11560608	0241-P04211US0	1202	\$150.00	\$21
<i>PSTH</i>	11/17	1	09980913	<i>0380-P02709US0</i>	1253	\$1,020.00	\$21
<i>SHE</i>	11/20	113	77046749	0412-T03766US0	7001	\$325.00	\$21
<i>RWH</i>	11/20	134	77046753	0081-T03743US00	7001	\$325.00	\$21
	11/20	176	77046777	0081-T03744US00	7001	\$325.00	\$21
<i>SHE</i>	11/20	216	77046790	0412-T03767US0	7001	\$325.00	\$21
<i>SHE</i>	11/20	269	77046824	0412-T03768US0	7001	\$325.00	\$21
<i>RWH</i>	11/20	277	77046823	0081-T03748US00	7001	\$325.00	\$21
<i>DRP</i>	11/20	1222	60866327	0101-P04232US0	2005	\$100.00	\$21
<i>KDR</i>	11/21	23	11458974	CHOP0271US	4011	-\$75.00	\$21
	11/21	24	11458974	CHOP0271US	2111	-\$250.00	\$21
	11/21	25	11458974	CHOP0271US	2311	-\$100.00	\$21
	11/21	26	11458974	CHOP0271US	8026	\$130.00	\$21
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<i>RWH</i>	11/21	2191	2407387	0240-T01538US00	7205	\$100.00	\$21
<i>WHT</i>	11/21	2259	2407388	0240-T01539US0	7205	\$100.00	\$21
	11/22	203	10161076		1253	\$1,020.00	\$11
<i>DRP</i>	11/22	204	10161076	<i>0101-P02915US0</i>	1801	\$790.00	\$11
	11/22	205	10161076		1808	\$130.00	\$11
<i>HHS</i>	11/22	257	2452741	0042-T02650US0	7205	\$100.00	\$11
	11/22	258	2452741	0042-T02650US0	7208	\$200.00	\$11
<i>NHS</i>	11/22	1274	78481405	0064-T03520US00	7004	\$150.00	\$11
	11/22	1284	78481394	0064-P03519US00	7004	\$150.00	\$11
	11/22	1291	78481387	0064-T03518US00	7004	\$150.00	\$11
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	11/24	1141	10987249	0096-P00842US6	2252	\$225.00	\$11
<i>VTP</i>	11/27	33	60735469	0074-ASHBY'469 AND'315	8007	\$20.00	\$11
	11/27	34	60735315	0074-ASHBY'469 AND'315	8007	\$20.00	\$11
<i>PSTH</i>	11/27	131	60840085	<i>1282-P04176US00</i>	8021	\$40.00	\$11

<i>PTN</i> 11/27 146 10504206	1282-P02812US01	8021	\$40.00	\$17
<i>PWH</i> 11/28 162 77051241	0096-T03769US0	7001	\$325.00	\$17
<i>DRP</i> 11/28 2521 09863234	WH5	1202	\$4,400.00	\$17
<i>DRP</i> 11/28 2522 09863234	WH5	1203	\$360.00	\$17
<i>Q11/28-30 E-REPLENISHMENT</i>				
<i>KDR</i> 11/28 3 10239608	0380-P02988US0	9203	\$13,000.00	\$27
<i>SHE</i> 11/28 401 11459133	SHE -- 0412-P03689US1	1251	\$120.00	\$27
<i>HIS</i> 11/29 1292 78373287	0064-T03378US00	8021	\$40.00	\$27
<i>KDR</i> 11/29 1 10333895	0380-P03092US0	7004	\$150.00	\$27
<i>KDR</i> 11/29 7 PCT/US06/19777	<i>4476-P04090 WD00</i>	1202	\$200.00	\$27
<i>RWH</i> 11/30 1860 76580797	0081-T03442US00	9204	\$2,634.00	\$27
<i>HIS</i> 11/30 2283 78294875	0080-T03311US00	7004	\$150.00	\$27
		7004	\$150.00	\$27

START
BALANCE
\$16,255.00

SUM OF
CHARGES
\$26,770.00

SUM OF END
REPLENISH BALANCE
\$38,134.00 \$27,619.00

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01 FC:1253 900.00 DA